



Nevada State Board of Medical Examiners

*** * * MINUTES * * ***

OPEN SESSION TELEPHONE CONFERENCE CALL BOARD MEETING

Board Office Conference Room
1105 Terminal Way, Suite 301, Reno, NV 89502

WEDNESDAY, JUNE 4, 2008 – 3:00 P.M.

Board Members Present at Board Office
None

Board Members Present by Telephone

Benjamin J. Rodriguez, M.D.
Renee West
Ronald Kline, M.D. (temporary)
Beverly Neyland, M.D. (temporary)
Robert Wiencek Jr., M.D. (temporary)

Board Members Absent/Not Participating

Javaid Anwar, M.D., President
Sohail U. Anjum, M.D., Vice President
Jean Stoess, M.A.
Charles N. Held, M.D.
Cindy Lamerson, M.D.
S. Daniel McBride, M.D.

Staff Present at Board Office

Drennan A. Clark, Executive Director/Special Counsel
Laurie L. Munson, Deputy Executive Director/
Information Systems Administrator/Chief of Administration
Edward O. Cousineau, J.D., Deputy General Counsel
Lyn E. Beggs, J.D., Deputy General Counsel
Angelia L. Donohoe, Legal Assistant

Also Present by Telephone

Christine M. Guerici-Nyhus, J.D., Chief Deputy Attorney General

ROLL CALL

The AT&T telephone conference call operator took roll call of those participating by telephone.

Agenda Item 1

CALL TO ORDER AND ANNOUNCEMENTS

- Roll Call/Quorum
- Benjamin J. Rodriguez, M.D., Board Member

The meeting was called to order at 3:00 p.m.

Mr. Clark named the staff members who were present in the Board office conference room in Reno.

Mr. Clark stated the purpose of the meeting was to elect a chair to replace Dr. Baepler as Acting Chairman for matters concerning, and related to, the Endoscopy Center of Southern Nevada. The President and Vice President have recused themselves from consideration of these matters due to conflicts of interest, and at a prior meeting, Dr. Baepler was appointed the Acting Chairman for these matters. Unfortunately, Dr. Baepler recently passed away.

Mr. Clark announced there was a quorum, and asked Benjamin J. Rodriguez, M.D., to chair the meeting, as he is the senior member of those Board Members who can participate in these matters.

Agenda Item 2

DISCUSSION AND POSSIBLE ELECTION OF BOARD CHAIR FOR MATTERS CONCERNING THE INVESTIGATION SURROUNDING THE ENDOSCOPY CENTER OF SOUTHERN NEVADA, AND OTHER RELATED MATTERS

Dr. Rodriguez stated he would be willing to act as Acting Chairman.

Dr. Wiencek moved that Dr. Rodriguez be appointed as the Acting Chairman for issues concerning the Endoscopy Center and other related matters. Ms. West seconded the motion, and it passed unanimously.

Mr. Clark said he would now be reporting to Dr. Rodriguez concerning these matters, with the exception of evidentiary matters that would be presented in the cases, because those Board members present at the meeting would be the adjudicators of those cases, along with Dr. Baepler's replacement, once the Governor has appointed one. Ms. Guerri-Nyhus, the Chief Deputy Attorney General, provides training to Board members and suggested that the three temporary members get in contact with her concerning that training, which would be paid for by the Board. Ms. Guerri-Nyhus stated her secretary would be in touch with them to ascertain when they would be available to do so.

Dr. Rodriguez suggested it would be prudent for Ms. Guerri-Nyhus to advise the Board Members regarding comment on these matters and what they can listen to concerning these matters.

Ms. Guerri-Nyhus stated that those Board Members present at the meeting would be the adjudicating body for matters concerning and related to the Endoscopy Center of Southern Nevada, so they would be hearing the evidence and deciding the cases that arise. Therefore,

when they are out in public they should avoid making any statements about the doctors involved or giving any opinions in public or to the newspapers. If people want to provide them with information concerning these matters, the Board Members should direct those individuals to either Executive Director Tony Clark or Chief of Investigations Douglas Cooper, as the Board Members should avoid receiving outside influence. Once Governor Gibbons appoints a replacement Board Member for Dr. Baepler, there will be six adjudicating Board Members for these cases.

Agenda Item 3

PUBLIC COMMENT

There was no comment offered from any member of the public.

ADJOURNMENT

Dr. Rodriguez moved to adjourn the meeting. Ms. West seconded the motion, and it passed. The meeting was adjourned at 3:10 p.m.